

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

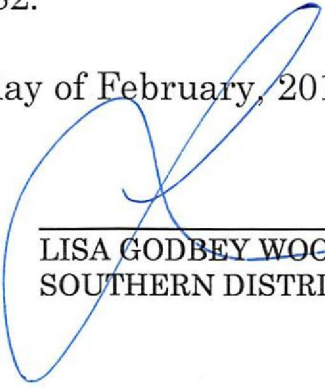
JUWAN HALL,	)	
	)	
Movant,	)	
	)	
v.	)	Case No. CV415-251
	)	CR408-310
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

Per the Court’s adoption of the Report and Recommendation’s assessment, Juwan Hall’s motion for a Certificate of Appealability (CR408-310, doc. 82), in which he presents no new issues for appeal, is **DENIED**. Assuming Hall is indigent, the Court construes his COA motion as an implied motion for leave to proceed *in forma pauperis* (IFP) on appeal. That must be denied if the trial court certifies that the appeal is not taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A). Not taken in good faith means frivolous, *see Coppedge v. United States*, 369 U.S. 438, 445 (1962), which in turn means “without arguable merit either in law or fact.” *Napier v.*

*Preslicka*, 314 F.3d 528, 531 (11th Cir. 2002); *see also Brown v. United States*, 2009 WL 307872 at \* 1-2 (S.D. Ga. Feb. 9, 2009). Because Hall presents no non-frivolous issues for appeal, the Court **DENIES** his implied IFP motion, too. Doc. 82.

SO ORDERED, this 4 day of February, 2016.



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LISA GODBEY WOOD, CHIEF JUDGE  
SOUTHERN DISTRICT OF GEORGIA